



**COUNTY OF ORANGE
HEALTH CARE AGENCY**

**PUBLIC HEALTH SERVICES
ENVIRONMENTAL HEALTH**

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October 22, 2009

Craig Campbell, Vice President
Rainbow Disposal Company, Inc.
17121 Nichols Street
Huntington Beach, CA 92647

**Subject: Issuance of a Revised Solid Waste Facility Permit for the Rainbow
Transfer/Recycling Co. Inc., SWIS No. 30-AB-0099**

Dear Mr. Campbell,

On September 15, 2009, the California Integrated Waste Management Board concurred in issuing the revised Solid Waste Facility Permit for the Rainbow Transfer/Recycling Co., Inc., that was prepared by the Orange County Solid Waste Local Enforcement Agency. Enclosed is the signed revised Solid Waste Facility Permit that replaces the revised permit issued on June 23, 2004.

It has been a pleasure working with you and your team during the permitting process. If we can be of further assistance, please do not hesitate to contact me at (714) 433-6011, or Dean Clarke at (714) 433-6272.

Sincerely,

Patricia Henshaw, REHS, MPA
Program Manager
Solid Waste Local Enforcement Agency
Environmental Health

Enclosure: Revised Solid Waste Facility Permit

cc: w/enc: Sue Markie, California Integrated Waste Management Board

SOLID WASTE FACILITY PERMIT

Facility Number:

30-AB-0099**1. Name and Street Address of Facility:**

Rainbow Transfer/Recycling Co., Inc.
17121 Nichols Street
Huntington Beach, CA 92647

2. Name and Mailing Address of Operator:

Rainbow Transfer/Recycling Co., Inc.
17121 Nichols Street
Huntington Beach, CA 92647

3. Name and Mailing Address of Owner:

Rainbow Transfer/Recycling Co., Inc.
17121 Nichols Street
Huntington Beach, CA 92647

4. Specifications:**a. Permitted Operations:**☐ Solid Waste Disposal Site☐ Transformation Facility☒ Transfer/Processing Facility (MRF)☒ Other: Chipping and Grinding☐ Composting Facility (Green Material)**b. Permitted Hours of Operation:**

Waste Acceptance and Transfer
Waste Processing/Equipment and
Facility Maintenance

6:00 am to 6:00 pm, Monday through Sunday
24 hours per day, Monday through Sunday

c. Permitted Maximum Tonnage: 4,000 Tons/Day^{(1) (2)}**d. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CIWMB validations):**

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	17.59	N/A	17.59	N/A	N/A
Design Capacity (cu. yds)		N/A	N/A	N/A	N/A
Max. Elevation (Ft. MSL)		N/A			
Max. Depth (Ft. MSL)		N/A			
Estimated Closure Year		N/A			

(1) The phased tonnage increase details are stated in conditions 17. g. and 17. h. on page 5 of permit.

(2) Facility Disposal Design Capacity Study may indicate a higher daily tonnage limit than 4,000. However the CEQA document for this project (MND 06-006, SCH No. 2008111073) analyzed and supported the operation of a 4,000 tpd transfer processing facility.

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

Approving Officer Signature
Richard Sanchez, REHS, MPH
Director, Environmental Health

6. Enforcement Agency Name and Address:

County of Orange Health Care Agency
Environmental Health
Solid Waste Local Enforcement Agency
1241 E. Dyer Road, Suite 120
Santa Ana, CA 92705

7. Date Received by CIWMB:

July 27, 2009

8. CIWMB Concurrence Date:

September 15, 2009

9. Permit Issued Date:

October 20, 2009

10. Permit Review Due Date:

October 20, 2014

11. Owner/Operator Transfer Date:

N/A

SOLID WASTE FACILITY PERMIT

Facility Number:

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12. Legal Description of Facility:

The southwest quarter of the northwest quarter of the northeast quarter of Section 26, Township 5 south, Range 11 west, in the Rancho Las Bolsas, as shown on a map recorded in Book 51, Page 13 of miscellaneous maps, records of Orange County, California.

13. Findings:

- a. This permit is consistent with the County of Orange Countywide Integrated Waste Management Plan (OCIWMP), which was last approved by the California Integrated Waste Management Board (CIWMB) on September 16, 2003. The location of the facility is identified and described in the Nondisposal Facility Element, pursuant to Public Resources Code (PRC) Section 50001(a).
- b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010.
- c. The design and operation of the Rainbow Transfer/Recycling Co. Inc. is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.
- d. Negative Declaration 81-4 was adopted by the Huntington Beach Board of Zoning Adjustments on March 4, 1981, to support the initial SWFP issued on July 24, 1981. The transfer station commenced operations in November of 1983.
- e. On October 22, 1991 Negative Declaration 91-30 was filed with the State Clearinghouse (SCH No. 1991091003) and adopted by the City of Huntington Beach Planning Commission. The Negative Declaration 91-30 describes and supports the facility's maximum daily tonnage (2,800 tons per day), including materials recovery facility, transfer/processing building, office buildings, and maintenance building. The Household Hazardous Waste Collection Center (HHWCC) is supported by Negative Declaration 90-43 (SCH # 1990010913).
- f. A Notice of Exemption (Class 1) was filed by the Huntington Beach Planning Department on January 25, 1999, to support the expansion of the public hours of operation. On May 14, 2004, a Notice of Exemption (Class 15) was filed by the Huntington Beach Planning Department to support the consolidation of five parcels (consisting of 17.59 acres) into one parcel.
- g. Mitigated Negative Declaration No. 06-006 was filed with the State Clearinghouse (SCH No. 2008111073) and adopted by the City of Huntington Beach Planning Commission on March 10, 2009. Negative Declaration 06-006 describes and supports the facility's phased increase of maximum daily tonnage to 4,000 tpd, construction of Transfer Station No. 2, remodeling and enlarging Transfer Station No. 1, a new materials recycling facility, and upgrading the existing materials recovery facility, transfer/processing building.

14. Prohibitions:

The facility is permitted to receive the following types of non-hazardous solid waste: mixed municipal, residential, commercial, industrial, construction and demolition waste, inert debris, greenwaste, woodwaste, and electronic waste ⁽¹⁾.

The facility is prohibited from receiving the following items or engaging in the following operational practices:

- Acceptance of hazardous waste ⁽²⁾ and radioactive waste.
- Non-hazardous waste requiring special treatment or handling, except those wastes identified in the Transfer/Processing Report.
- Acceptance of liquid waste or semi-solid waste, containerized or not, as defined in Section 20200 of Title 27, California Code of Regulations.
- Acceptance of biosolids, sewage sludge, septic tank pumpings, clarifier waste, slurries, restaurant grease trap pumpings.
- Acceptance of medical waste as defined in Chapter 6.1, Division 20 of the Health and Safety Code.
- Acceptance of ash.
- Scavenging, and open burning.
- The temperature of greenwaste processing shall not exceed 122 degrees Fahrenheit. Each load of greenwaste shall be removed offsite within 48 hours of receipt.

SOLID WASTE FACILITY PERMIT

Facility Number:

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14. Prohibitions: (continued)

Notes:

- (1) Electronic devices that have been classified as universal waste per Section 66273.1 of Chapter 23, Title 22 of the Health and Safety Code (i.e., cathode ray tubes, batteries, thermostats, universal waste lamps, etc.) shall be removed from the waste stream as part of the loadchecking program to the Household Hazardous Waste Collection Center or to a Universal Waste Handler.
- (2) Notwithstanding stated prohibitions, household hazardous waste may only be accepted at the Household Hazardous Waste Collection Center.

15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
Transfer/Processing Report	04/30/2009	Mitigated Negative Declaration (SCH#2008111073) Conditional Use Permit 06-030	11/2008 11/2008
NOE (Class 15 Categorical Exemption) NOE (Class 1 Categorical Exemption) ND 91-30 (SCH No. 1991091003) ND 91-43	05/14/2004 01/25/1999 10/22/1991 09/13/1990	Conditional Use Permit 91-42 Modification to CUP 91-42 Entitlement Plan Amendment No. 98-8	10/22/1991 10/18/1993 01/12/1999

16. Self Monitoring:

The owner/operator of Rainbow Transfer/Recycling Co., Inc. shall submit the results of all self monitoring programs to the Orange County Solid Waste Local Enforcement Agency by the due dates below. In addition, such records shall also be made available to the LEA during the inspections and shall be accurate and documented within 7 days of the activity date. Each self-monitoring report shall include:

Program	Reporting Frequency
a. Daily and monthly quantities (in tons) and types of waste received. Such records will also be made available to the LEA during the inspections and shall be accurate and documented within 7 days of the activity date.	Quarterly
b. Monthly totals of the quantities (in tons) of materials recovered/salvaged and sent to markets and other facilities.	Quarterly
c. Monthly totals of the quantities (in tons) of greenwaste received, recovered, and the final destination of the recovered greenwaste.	Quarterly
d. Daily and monthly tonnages of the quantity of waste loaded onto transfer trailers and hauled for disposal and/or additional processing.	Quarterly
e. Results of the prohibited waste (as specified in Section 14: Prohibitions) screening/load checking program (quantities and types) and the disposition of these wastes.	Quarterly
f. A summary of the Log of Special/Unusual Occurrences (S/U O) documenting accidents, employee injuries, fires, explosions, receipt or rejection of prohibited wastes, hazardous waste incidents, unscheduled shutdowns, vandalisms, etc. and the operator's actions in response.	Quarterly

SOLID WASTE FACILITY PERMIT		Facility Number: 30-AB-0099										
Program	Reporting Frequency											
16. Self Monitoring: (continued)												
<p>g. Logs of all verbal and copies of all written complaints (pertaining to LEA-regulated parameters and state minimum standards) regarding this facility and the operator's actions in response. Unless required by statute or regulation, verbal and written odor complaints will not be included in the quarterly report. However, records documenting verbal and written odor complaints received by the operator shall be made available to the LEA for review during the inspections.</p>		Quarterly										
<p>h. All regulatory notices (e.g., Notice to Comply, Notice of Violation, Notice & Order, Cease & Desist Order, Clean-up & Abatement Order) received by the facility and the operator's actions in response.</p>		Quarterly										
<p>The self-monitoring report shall be submitted in accordance with the following schedule:</p> <table border="0"> <thead> <tr> <th><u>Reporting Period</u></th> <th><u>Report Due</u></th> </tr> </thead> <tbody> <tr> <td>January through March</td> <td>May 1</td> </tr> <tr> <td>April through June</td> <td>August 1</td> </tr> <tr> <td>July through September</td> <td>November 1</td> </tr> <tr> <td>October through December</td> <td>February 1</td> </tr> </tbody> </table>			<u>Reporting Period</u>	<u>Report Due</u>	January through March	May 1	April through June	August 1	July through September	November 1	October through December	February 1
<u>Reporting Period</u>	<u>Report Due</u>											
January through March	May 1											
April through June	August 1											
July through September	November 1											
October through December	February 1											
17. Orange County Solid Waste Local Enforcement Agency Conditions:												
<p>(These conditions shall be in addition to conditions of other documents controlling the operations and/or design of the facility.)</p>												
<p><u>General</u></p>												
<p>a. The operator shall comply with all state minimum standards for receiving, handling, storage, and transfer of solid waste as specified in Chapter 3.0, Division 7, Title 14 of the California Code of Regulations (CCR). The operator shall inspect the site at least once each day of operation to ensure compliance with all applicable state minimum standards, conditions, mitigation measures, permits, and regulations.</p>												
<p>b. Nothing in this permit shall prevent the operator from complying with all pertinent federal, state, and local requirements. Nothing in these conditions shall be construed as relieving the facility operator, or designee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports, or other requirements of other regulatory or enforcement agencies.</p>												
<p>c. The LEA reserves the right to prohibit, suspend, modify, or condition the handling of solid waste or operations at the facility to protect public health and safety; to prevent potential health hazards, and/or public nuisances; to protect the environment; or to mitigate adverse environmental impacts.</p>												
<p>d. This permit is subject to periodic review and may be modified, suspended, or revoked, at any time by the LEA for sufficient cause in accordance with PRC Section 44305.</p>												
<p>e. The operator shall notify the LEA in writing with proposed amendments, modifications, and/or revisions to the Transfer/Processing Report at least one hundred eighty (180) calendar days in advance of the proposed change to the facility's design or operation to allow for early consultation, completion of all required documents, due process review, filing and the completion of all related permitting processes. Such notification is required for the following changes, but not limited to: permitted tons per day limit, permitted areas of operation, permitted hours and/or days of operation, addition of facility equipment and structures, and changes in operation and procedures not fully described in the Transfer/Processing Report.</p>												
<p>f. This permit supersedes Solid Waste Facility Permit 30-AB-0099 issued on December 1, 1993, and revised on June 23, 2004.</p>												

30-AB-0099

Reporting Frequency

Quarterly

- Quarterly

Reporting Period

January through March
April through June
July through September
October through December

May 1
August 1
November 1
February 1

(These conditions shall be in addition to conditions of other documents controlling the operations and/or design of the facility.)

- a. The operator shall comply with all state minimum standards for receiving, handling, storage, and transfer of solid waste as specified in Chapter 3.0, Division 7, Title 14 of the California Code of Regulations (CCR). The operator shall inspect the site at least once each day of operation to ensure compliance with all applicable state minimum standards, conditions, mitigation measures, permits, and regulations.
- b. Nothing in this permit shall prevent the operator from complying with all pertinent federal, state, and local requirements. Nothing in these conditions shall be construed as relieving the facility operator, or designee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports, or other requirements of other regulatory or enforcement agencies.
- c. The LEA reserves the right to prohibit, suspend, modify, or condition the handling of solid waste or operations at the facility to protect public health and safety; to prevent potential health hazards, and/or public nuisances; to protect the environment; or to mitigate adverse environmental impacts.
- d. This permit is subject to periodic review and may be modified, suspended, or revoked, at any time by the LEA for sufficient cause in accordance with PRC Section 44305.
- e. The operator shall notify the LEA in writing with proposed amendments, modifications, and/or revisions to the Transfer/Processing Report at least one hundred eighty (180) calendar days in advance of the proposed change to the facility's design or operation to allow for early consultation, completion of all required documents, due process review, filing and the completion of all related permitting processes. Such notification is required for the following changes, but not limited to: permitted tons per day limit, permitted areas of operation, permitted hours and/or days of operation, addition of facility equipment and structures, and changes in operation and procedures not fully described in the Transfer/Processing Report.
- f. This permit supersedes Solid Waste Facility Permit 30-AB-0099 issued on December 1, 1993, and revised on June 23, 2004.

SOLID WASTE FACILITY PERMIT

Facility Number:

30-AB-0099

17. Orange County Solid Waste Local Enforcement Agency Conditions: (continued)

Operation

- g. When the incoming daily material averages 2,800 tons/day for three continuous months (the average daily tonnage will be calculated on incoming tonnages for Monday through Friday), Transfer Building #2 must be fully enclosed. The facility must be able to operate in compliance with state minimum standards and the operator shall update the Rule 410 Alternative Odor Management Plan (Appendix Y in Facility Transfer/Processing Report) to reflect changes in the operational areas for processing solid waste, and measures taken to adequately control odors from processing solid waste.
- h. When the incoming daily material averages 3,300 tons/day for three continuous months (the average daily tonnage will be calculated on incoming tonnages for Monday through Friday), Transfer Building #1 (the existing transfer building), must be remodeled, expanded and fully enclosed. The facility must be able to operate in compliance with state minimum standards and the operator shall update the Rule 410 Alternative Odor Impact Management Plan to reflect these operational changes.
- i. The operator shall notify the LEA by phone, fax, or e-mail as soon as the maximum permitted daily tonnage has been exceeded. The operator shall provide the LEA in writing within 48 hours the reasons for the exceedances and the measures and procedures to prevent a recurrence of daily tonnage exceedance.
- j. The facility must be able to operate in compliance with state minimum standards should the operator constructs a secondary materials recycling facility to provide additional innovative technological recycling systems to process food or other wastes. The operator shall update the Rule 410 Alternative Odor Impact Management Plan to reflect these operational changes.
- k. All incoming greenwaste, construction and demolition waste, electronic waste, mixed municipal solid waste, food waste, and commingled recyclables will be counted toward the permitted maximum daily tonnage.
- l. As outlined in Section 16, the operator shall maintain at the facility a daily log of special/unusual occurrences (S/U O). The log shall document, but not be limited to: public nuisance complaints pertaining to LEA-regulated parameters and state minimum standards (e.g., noise, dust, offsite migration of litter, etc.), fires, explosions, receipt or rejection of prohibited wastes, incidents of personal injury, vandalisms, accidents and/or property damage. In addition, an odor complaint log shall also be maintained documenting all verbal and written complaints received by the operator. Each log entry shall be accompanied by a summary of the responses/corrective actions taken by the operator to mitigate any negative impacts of each occurrence. Days without incidents of S/U O shall be noted with an appropriate negative entry for such days such as: "No S/U O today." The logs shall be readily accessible to facility personnel, the LEA, and other regulatory agencies upon request. Such records shall be accurate and documented within 7 days of the activity date.
- m. The operator shall maintain a LEA approved hazardous/prohibited waste screening exclusion (load checking) program at the facility as described in the Transfer/Processing Report, which will adequately protect public health and the environment from illegal disposal of hazardous/prohibited waste.
- n. At all times, there shall be litter control personnel and/or other adequate measures to preclude litter from blowing and accumulating off-site. All litter shall be properly disposed in refuse receptacles and transported offsite within 48 hours.
- o. Personnel assigned to the facility shall be adequately trained in subjects pertinent to transfer station operations and maintenance, solid waste management, prohibited materials recognition and screening, use of mechanized equipment, and emergency procedures. A record of such training shall be maintained at the site and available for review by the LEA, the CIWMB, and other regulatory agencies upon request.
- p. Appropriate safety equipment including hard hats, hearing protection, safety goggles, gloves, safety boots, and respiratory protection shall be provided and available to all personnel assigned to the facility and must be worn when necessary.